



LOUISVILLE & NASHVILLE RAILROAD COMPANY

908 W. BROADWAY • LOUISVILLE, KENTUCKY 40203 TELEPHONE (502) 587-5235

LAW DEPARTMENT

August 4, 1977

DAVID M. YEARWOOD
GENERAL ATTORNEY

DC Washington, D.C.

RECORDATION NO. 5872-A Filed & Recorded

AUG 17 1977-12 45 PM

Mr. H. G. Homme, Jr.
Acting Secretary
Interstate Commerce Commission
Washington, D. C. 20423

INTERSTATE COMMERCE COMMISSION

Dear Mr. Secretary:

There is transmitted to you herewith for filing and recordation, pursuant to Section 20c of the Interstate Commerce Act, duly executed counterparts of an Instrument of Release dated as of August 1, 1977 between Pullman Incorporated (Pullman-Standard Division), whose address is 200 South Michigan Avenue, Chicago, Illinois 60604 and Louisville and Nashville Railroad Company, whose address is 908 West Broadway, Louisville, Kentucky 40203.

By this Instrument of Release, Pullman Incorporated (Pullman-Standard Division) and Louisville and Nashville Railroad Company acknowledged the release, discharge and satisfaction of their respective rights and obligations under that Lease Agreement dated as of October 28, 1970 which was filed and recorded with the Interstate Commerce Commission on November 12, 1970 and assigned Recordation No. 5872.

Attached hereto is a draft in the amount of \$10 payable to the Treasurer of the United States to cover the recordation fee for said Release.

This letter of transmittal is signed by an officer of the Louisville and Nashville Railroad Company designated for the purpose hereof who has knowledge of the matters set forth herein.

After recordation, please return the recorded counterparts of said Instrument of Release to:

Mr. David M. Yearwood
General Attorney
Louisville and Nashville Railroad Company
908 West Broadway
Louisville, Kentucky 40203

Respectfully yours,

Louisville and Nashville Railroad Company

By David M. Yearwood
David M. Yearwood
General Attorney

Attachment

RECORDATION NO. 5872-A Filed & Recorded

AUG 17 1977 - 12 45 PM

INTERSTATE COMMERCE COMMISSION

INSTRUMENT OF RELEASE, dated as of August 1, 1977, by and between PULLMAN INCORPORATED (Pullman Standard Division), a corporation organized and existing under the laws of the State of Delaware (hereinafter called "Pullman") and LOUISVILLE AND NASHVILLE RAILROAD COMPANY, a corporation organized and existing under the laws of the Commonwealth of Kentucky (hereinafter called "L&N").

WITNESSETH:

WHEREAS, by a Lease Agreement dated as of October 28, 1970 (hereinafter called the "Lease") Pullman leased to L&N, on the terms and conditions set forth therein, 542 80-ton open top hopper cars bearing L&N road numbers 183958 to 184499, inclusive; and

WHEREAS, the Lease was filed and recorded with the Interstate Commerce Commission on November 12, 1970 and assigned Recordation No. 5872; and

WHEREAS, the parties hereto desire to execute and deliver this instrument, in recordable form, to acknowledge upon the public records, the release, discharge and satisfaction of their respective rights and obligations under the Lease.

NOW, THEREFORE, Pullman and L&N hereby acknowledge the release, discharge and satisfaction of their respective rights and obligations under the Lease.

L&N will cause this Instrument to be filed and recorded in the office of the Interstate Commerce Commission pursuant to Section 20c of the Interstate Commerce Act, and will furnish to Pullman evidence of such filing and recording.

This Instrument may be simultaneously executed in two or more counterparts, each of which so executed shall be deemed to be an original, and such counterparts together shall constitute but one and the same instrument, which shall be sufficiently evidenced by any such original counterpart.

IN WITNESS WHEREOF, Pullman and L&N, pursuant to due corporate authority, have caused these presents to be signed in their respective corporate names by their respective officers thereunto duly authorized and their respective corporate seals to be hereunto affixed, duly attested as of the day and year first above written.

PULLMAN INCORPORATED
(Pullman-Standard Division)

By *Carl J. Olsen*
Vice President-Freight Unit

Attest:

Margaret M. Keenan
Assistant Secretary

LOUISVILLE AND NASHVILLE RAILROAD COMPANY

By *H. M. Owen*
Assistant Vice President

Attest:

W. D. Hoff
Attesting Officer

STATE OF ILLINOIS)
) SS:
COUNTY OF COOK)

On this 16th day of August, 1977, before me personally appeared W. J. Mason, to me personally known, who, being by me duly sworn, says that he is Vice President - Freight Unit of Pullman Incorporated (Pullman-Standard Division), that one of the seals affixed to the foregoing instrument is the corporate seal of said corporation, that said instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors, and he acknowledged that the execution of the foregoing instrument was the free act and deed of said corporation.

Shirley S. Olson
Notary Public

My Commission expires August 3, 1980.

Notarial Seal

COMMONWEALTH OF KENTUCKY)
) SS:
COUNTY OF JEFFERSON)

On this 15th day of August, 1977, before me personally appeared W. H. Stier, to me personally known, who, being by me duly sworn, says that he is an Assistant Vice President of Louisville and Nashville Railroad Company, that one of the seals affixed to the foregoing instrument is the corporate seal of said corporation, that said instrument was signed and sealed on behalf of said corporation by authority of its Board of Directors and he acknowledged that the execution of the foregoing instrument was the free act and deed of said corporation.

Patricia A. Oglesby
Notary Public
NOTARY PUBLIC, STATE AT LARGE

My Commission expires My Commission Expires April 12, 1981.

Notarial Seal